

PROB 12C  
(7/93)

**United States District Court**

**for**

**District of New Jersey**

**Petition for Warrant or Summons for Offender Under Supervision**

**Name of Offender:** Emmitt Walls

**Docket Number:** 93-00559-004

**PACTS Number:** 6302

**Name of Sentencing Judicial Officer:** HONORABLE Maryanne Trump Barry

**Reassigned Judicial Officer:** HONORABLE Dennis M. Cavanaugh

**Date of Original Sentence:** 05/27/1994

**Original Offense:** Conspiracy to Possess With the Intent to Distribute 4 Kilograms of Cocaine

**Original Sentence:** 87 months imprisonment; 5 years supervised release. Drug testing/treatment; financial disclosure; \$5,000 fine.

**Type of Supervision:** supervised release

**Date Supervision Commenced:** 04/19/06

**Assistant U.S. Attorney:** Sherry Hutchins, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

**Defense Attorney:** Robert Simels, 260 Madison Avenue, New York, New York 10016, (212) 679-8700

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**PETITIONING THE COURT**

- ☐ To issue a warrant  
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>The offender has violated the supervision condition which states '<b>You shall not commit another federal, state, or local crime.</b>'</p> <p>The offender was arrested on February 24, 2008, for Driving While Intoxicated by the New York City Police Department. Upon his arrest, a breathalyzer test was performed on the offender, which resulted in a reading of .131% BAC. On February 29, 2008, he was sentenced to a one-year conditional discharge and a fine in the amount of \$575.</p>
2	<p>The offender has violated the supervision condition which states '<b>The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant</b></p>

**shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office'**

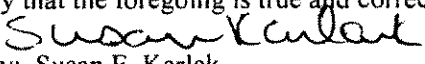
The offender was scheduled to appear at a designated facility for Code-A-Phone testing on December 27, 2007; however, failed to appear.

3

The offender has violated the supervision condition which states '**The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office'**

The offender tested positive for cocaine on February 28, 2007, and July 11, 2007. He was subsequently referred to our Drug and Alcohol Treatment Specialist for an evaluation. However, the offender denied any drug use and refused to discuss treatment options, requesting to have his case return to Court. He admitted to the use of cocaine on 12/04/08.

I declare under penalty of perjury that the foregoing is true and correct.

  
By: Susan E. Karlak  
U.S. Probation Officer  
Date: 12/8/08 7/c

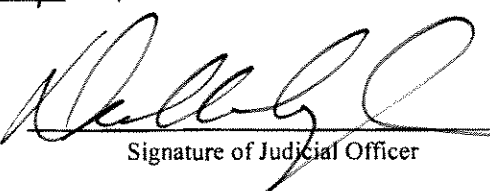
THE COURT ORDERS:

☐ The Issuance of a Warrant

☐ The Issuance of a Summons. Date of Hearing: JAN. 12, 2009 11AM

☐ No Action

☐ Other

  
Signature of Judicial Officer

12/10/08  
Date